## IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF SOUTH CAROLINA ORANGEBURG DIVISION

Sierra Frances Pifer,	)
Plaintiff,	) ) ) C/A No. 5:18-cv-1083-TMC
v.	)
Nancy A. Berryhill, Acting Commissioner of Social Security,	ORDER )
Defendant.	) ) )

Plaintiff, Sierra Frances Pifer, brought this action pursuant to 42 U.S.C. § 405(g) seeking judicial review of a final decision of the Commissioner of Social Security ("Commissioner") denying her claim for Supplemental Security Income ("SSI") pursuant to the Social Security Act. (ECF No. 1). This matter is before the court for review of the Report and Recommendation ("Report") of the United States Magistrate Judge, made in accordance with 28 U.S.C. § 636(b)(1)(B) and Local Civil Rule 73.02(B)(2)(a) (D.S.C.). (ECF No. 19). In her Report, the magistrate judge recommends the Commissioner's final decision be reversed and this case be remanded. (ECF No. 19 at 24). The Commissioner has filed a response to the Report in which she states that she has concluded that the decision denying benefits should be reversed and the action remanded pursuant to sentence four of 42 U.S.C. § 405(g) for further administrative action (ECF No. 21 at 1). Further, she specifically states that she does not intend to file any objections to the Report. *Id.* 

The Report has no presumptive weight and the responsibility to make a final determination in this matter remains with this court. *See Mathews v. Weber*, 423 U.S. 261, 270-71 (1976). In the absence of objections, this court is not required to provide an explanation for

adopting the Report. See Camby v. Davis, 718 F.2d 198, 199 (4th Cir. 1983). Rather, "in the

absence of a timely filed objection, a district court need not conduct a de novo review, but

instead must only satisfy itself that there is no clear error on the face of the record in order to

accept the recommendation." Diamond v. Colonial Life & Acc. Ins. Co., 416 F.3d 310, 315 (4th

Cir. 2005).

After a thorough and careful review of the record, the court adopts the Report of the

Magistrate Judge (ECF No. 19), which is incorporated herein by reference. Accordingly, the

Commissioner's final decision denying benefits is REVERSED and this case is REMANDED

pursuant to sentence four of 42 U.S.C. 405 (g) for further administrative action consistent with

the Report.

IT IS SO ORDERED.

s/Timothy M. Cain
United States District Judge

Anderson, South Carolina June 24, 2019

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